

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-10627-RCL
)	
ONE PAINTING/PASTEL TITLED "LA,)	
COIFFURE" BY EDGAR DEGAS,)	
Defendant.)	

MOTION FOR FINAL JUDGMENT AND ORDER OF FORFEITURE

The United States of America, by its attorney Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves for entry of a Final Judgment and Order of Forfeiture, forfeiting the defendant property, described herein as one painting/pastel titled "La Coiffure" by Edgar Degas (the "Defendant Degas").

In support of this Motion, the Government states that on June 25, 2004, it filed a Motion for Entry of Default against the claimants in this action, and on August 26, 2004, this Court entered a Notice of Default, a copy of which is attached hereto as Exhibit A. The Notice was entered against Arnold Katzen, and all other persons claiming an interest in the Defendant Degas, for their failure to answer or otherwise defend in this action. No other claims have been filed, and the time to do so has expired.

WHEREFORE, the United States of America requests that this Court enter a Final Judgment and Order of Forfeiture, forfeiting the Defendant Degas. A proposed Order is attached.

Respectfully submitted,

UNITED STATES OF AMERICA
By its attorneys,

MICHAEL J. SULLIVAN
United States Attorney

By: Shelbey D. Wright by KE8
Shelbey D. Wright
Assistant U.S. Attorney
1 Courthouse Way
Suite 9200
Boston, MA 02210
(617) 748-3100

Dated: September 10, 2004

N:\LTalbot\wright\Artwork\Motion for Final Judgment & Order of Forfeiture.wpd

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CIVIL ACTION NO. 04-10627-RCL

ONE PAINTING/PASTEL TITLED
"LA, COIFFURE" BY EDGAR DEGAS


NOTICE OF DEFAULT

Upon application of the plaintiff, **United States of America**, for order of Default for failure of the defendant, **One Painting/Pastel Titled "LA, COIFFURE" by Edgar Degas** to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure, notice is hereby given that the defendant has been defaulted this 26th day of August, 2004.

TONY ANASTAS, CLERK

August 26, 2004

By: /s/ Lisa M. Hourihan
Deputy Clerk



UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-10627-RCL
)	
ONE PAINTING/PASTEL TITLED "LA,)	
COIFFURE" BY EDGAR DEGAS,)	
Defendant.)	

LINDSAY, D.J.

FINAL JUDGMENT AND ORDER OF FORFEITURE

This Court having allowed plaintiff's Motion for Entry of Default and having issued a Notice of Default, it is hereby

ORDERED, ADJUDGED and DECREED:

1. That judgment be and hereby is entered in favor of the plaintiff, the United States of America;

2. That the defendant property, described herein as one painting/pastel titled "La Coiffure" by Edgar Degas (the "Defendant Degas"), is hereby forfeited to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(A);

3. That any claim of interest of Arnold Katzen, and any other parties claiming any right, title, or interest in or to the Defendant Degas, is hereby held in default and dismissed, having been defaulted on August 26, 2004;

4. That the United States of America, through the United States Department of Homeland Security, United States Immigration

and Customs Enforcement, shall retain the Defendant Degas in its secure custody and control, and shall dispose of it in accordance with law;

5. That this Court shall retain jurisdiction in this case solely for the purpose of enforcing the terms of this judgment; otherwise, this Order shall be, and hereby is, the full and final disposition of this civil forfeiture action.

APPROVED AND SO ORDERED:

REGINALD C. LINDSAY
United States District Judge

Date: _____, 2004

N:\LTalbot\wright\Artwork\Final Judgment & Order of Forfeiture.wpd



U.S. Department of Justice

Michael J. Sullivan
United States Attorney
District of Massachusetts

Main Reception: (617) 748-3100

John Joseph Moakley United States Courthouse
1 Courthouse Way, Suite 9200
Boston, Massachusetts 02210

September 10, 2004

Lisa Hourihan
Clerk to the Honorable
Reginald C. Lindsay
United States District Court
District of Massachusetts
1 Courthouse Way
Boston, MA 02210

Re: United States of America v. One Painting/Pastel Titled "La
Coiffure" by Edgar Degas
Civil Action No. 04-10627-RCL

Dear Ms. Hourihan:

Enclosed please find the United States' Motion for Final Judgment and Order of Forfeiture, along with a proposed Final Judgment and Order of Forfeiture, in connection with the above-referenced civil action.

Thank you for bringing this matter to the attention of the Court.

Very truly yours,

Shelbey D. Wright by KEB
Shelbey D. Wright
Assistant U.S. Attorney

SDW/ljt
Enclosures

cc: William Kettlewell, Esquire
Laura Kaplan, Assistant U.S. Attorney
Anna Tretter, Esquire, DHS